



UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2023 Grand Jury

UNITED STATES OF AMERICA,

CR 2:23-cr-00367-PA

Plaintiff,

I N D I C T M E N T

v.

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(vi), (vii), (b)(1)(B)(vi): Possession with Intent to Distribute Controlled Substances; 18 U.S.C. § 924(c)(1)(A)(i): Possession of Firearms in Furtherance of Drug Trafficking Crimes; 18 U.S.C. § 922(g)(1): Felon in Possession of Firearms and Ammunition; 21 U.S.C. § 853, 18 U.S.C. § 924, 28 U.S.C. § 2461(c): Criminal Forfeiture]

RAUL RIGOBERTO HERNANDEZ and
VICTOR JR. MICHEL,

Defendants.

The Grand Jury charges:

COUNT ONE

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii); 18 U.S.C. § 2(a)]

[ALL DEFENDANTS]

On or about March 9, 2022, in Los Angeles County, within the Central District of California, defendants RAUL RIGOBERTO HERNANDEZ and VICTOR JR. MICHEL, each aiding and abetting the other, knowingly

1 and intentionally possessed with intent to distribute at least 50
2 grams, that is, approximately 103 grams, of methamphetamine, a
3 Schedule II controlled substance.

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1 COUNT TWO

2 [21 U.S.C. §§ 841(a)(1), (b)(1)(A)(vi); 18 U.S.C. § 2(a)]

3 [ALL DEFENDANTS]

4 On or about March 9, 2022, in Los Angeles County, within the
5 Central District of California, defendants RAUL RIGOBERTO HERNANDEZ
6 and VICTOR JR. MICHEL, each aiding and abetting the other, knowingly
7 and intentionally possessed with intent to distribute at least at
8 least 40 grams, that is, approximately 185.4 grams, of a mixture or
9 substance containing a detectable amount of N-phenyl-N-[1-(2-
10 phenylethyl)-4-piperidinyl] propanamide ("fentanyl"), a Schedule II
11 narcotic drug controlled substance.

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1 COUNT THREE

2 [21 U.S.C. §§ 841(a)(1), (b)(1)(B)(vi); 18 U.S.C. § 2(a)]

3 [ALL DEFENDANTS]

4 On or about March 9, 2022, in Los Angeles County, within the
5 Central District of California, defendants RAUL RIGOBERTO HERNANDEZ
6 and VICTOR JR. MICHEL, each aiding and abetting the other, knowingly
7 and intentionally possessed with intent to distribute at least 10
8 grams, that is, approximately 26.79 grams, of a mixture and substance
9 containing a detectable amount of N-(4-Fluorophenyl)-N-[1-(2-
10 phenylethyl)-4-piperidinyl] propanamide ("p-Fluorofentanyl"), an
11 analogue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide
12 ("fentanyl"), and a Schedule I narcotic drug controlled substance.

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1 COUNT FOUR

2 [18 U.S.C. §§ 924(c)(1)(A)(i), 2(a)]

3 [ALL DEFENDANTS]

4 On or about March 9, 2022, in Los Angeles County, within the
5 Central District of California, defendants RAUL RIGOBERTO HERNANDEZ
6 and VICTOR JR. MICHEL, each aiding and abetting the other, knowingly
7 possessed firearms, namely, a FMK Firearms Inc, model 9C1 G2, 9x19mm
8 caliber pistol, bearing serial number BV1698, a Smith & Wesson, model
9 637 Airweight, .38 Special caliber revolver, bearing serial number
10 CFY8633, a Glock, model 26, 9x19 mm caliber pistol, bearing serial
11 number BTEY937, a Glock, model 21, .45 ACP caliber pistol, bearing
12 serial number BBAR217, and a HS Produkt, model XDM-40, .40 S&W
13 caliber pistol, bearing serial number MG129553, in furtherance of
14 drug trafficking crimes, namely, possession with intent to distribute
15 methamphetamine, fentanyl, and p-Fluorofentanyl, in violation of
16 Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(vi),
17 (b)(1)(A)(viii), and (b)(1)(B)(vi), as charged in Counts One, Two,
18 and Three of this Indictment.

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1 COUNT FIVE

2 [18 U.S.C. § 922(g)(1)]

3 [DEFENDANT MICHEL]

4 On or about March 9, 2022, in Los Angeles County, within the
5 Central District of California, defendant VICTOR JR. MICHEL knowingly
6 possessed the following firearms and ammunition, in and affecting
7 interstate and foreign commerce:

- 8 1. a Smith & Wesson, model 637 Airweight, .38 Special caliber
9 revolver, bearing serial number CFY8633;
- 10 2. a Glock, model 26, 9x19 mm caliber pistol, bearing serial number
11 BTEY937;
- 12 3. a HS Produkt, model XDM-40, .40 S&W caliber pistol, bearing
13 serial number MG129553;
- 14 4. approximately 9 rounds of Freedom Munitions .45 ACP caliber
15 ammunition;
- 16 5. approximately 1 round of Ammo Inc. .45 ACP caliber ammunition;
- 17 6. approximately 2 rounds of Remington .45 ACP caliber ammunition;
- 18 7. approximately 12 rounds of Winchester .45 ACP caliber
19 ammunition;
- 20 8. approximately 1 round of Black Hills Ammunition .45 ACP caliber
21 ammunition;
- 22 9. approximately 3 rounds of Precision Made Cartridges .45 ACP
23 caliber ammunition;
- 24 10. approximately 1 round of Sellier & Belliot .45 ACP caliber
25 ammunition;
- 26 11. approximately 1 round of Prvi Partizan .45 ACP caliber
27 ammunition;

1 12.approximately 1 round of Armscor USA .45 ACP caliber
2 ammunition;
3 13.approximately 48 rounds of Freedom Munitions .40 S&W caliber
4 ammunition;
5 14.approximately 10 rounds of Companhia Brasileira de Cartuchos
6 .45 ACP caliber ammunition;
7 15.approximately 3 rounds of Federal .38 Special caliber
8 ammunition;
9 16.approximately 5 rounds of Remington .38 Special caliber
10 ammunition;
11 17.approximately 5 rounds of Hornady .38 Special caliber
12 ammunition;
13 18.approximately 15 rounds of Fiocchi .38 Special caliber
14 ammunition;
15 19.approximately 9 rounds of Fiocchi .40 S&W caliber ammunition;
16 20.approximately 10 rounds of Winchester 9x19 mm caliber
17 ammunition; and
18 21.approximately 12 rounds of Federal 9x19 mm caliber ammunition.

19 Defendant MICHEL possessed such firearm and ammunition knowing
20 that he had previously been convicted of a felony crime punishable by
21 a term of imprisonment exceeding one year, namely, Vandalism, in
22 violation of California Penal Code Section 594(a), in the Superior
23 Court for the State of California, County of Los Angeles, Case Number
24 BA454941, on or about March 3, 2017.

1 FORFEITURE ALLEGATION ONE

2 [21 U.S.C. § 853; 18 U.S.C. § 924; 28 U.S.C. § 2461(c)]

3 1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal
4 Procedure, notice is hereby given that the United States of America
5 will seek forfeiture as part of any sentence, pursuant to Title 21,
6 United States Code, Section 853, Title 18, United States Code,
7 Section 924, and Title 28, United States Code, Section 2461(c), in
8 the event of any defendant's conviction of the offenses set forth in
9 Counts One through Three of this Indictment.

10 2. Any defendant so convicted shall forfeit to the United
11 States of America the following:

12 (a) All right, title and interest in any and all property,
13 real or personal, constituting or derived from, any proceeds which
14 the defendant obtained, directly or indirectly, from any such
15 offense;

16 (b) All right, title and interest in any and all property,
17 real or personal, used, or intended to be used, in any manner or
18 part, to commit, or to facilitate the commission of any such offense;

19 (c) All right, title, and interest in any firearm or
20 ammunition involved in or used in any such offense; and

21 (d) To the extent such property is not available for
22 forfeiture, a sum of money equal to the total value of the property
23 described in subparagraphs (a), (b), and (c).

24 3. Pursuant to Title 21, United States Code, Section 853(p),
25 any defendant so convicted, shall forfeit substitute property if, by
26 any act or omission of said defendant, the property described in the
27 preceding paragraph, or any portion thereof: (a) cannot be located
28 upon the exercise of due diligence; (b) has been transferred, sold

1 to, or deposited with a third party; (c) has been placed beyond the
2 jurisdiction of the court; (d) has been substantially diminished in
3 value; or (e) has been commingled with other property that cannot be
4 divided without difficulty.

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1 FORFEITURE ALLEGATION TWO

2 [18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c)]

3 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal
4 Procedure, notice is hereby given that the United States of America
5 will seek forfeiture as part of any sentence, pursuant to Title 18,
6 United States Code, Section 924(d)(1), and Title 28, United States
7 Code, Section 2461(c), in the event of any defendant's conviction of
8 the offenses set forth in any of Counts Four and Five of this
9 Indictment.

10 2. Any defendant so convicted shall forfeit to the United
11 States of America the following:

12 (a) All right, title, and interest in any firearm or
13 ammunition involved in or used in any such offense; and

14 (b) To the extent such property is not available for
15 forfeiture, a sum of money equal to the total value of the property
16 described in subparagraph (a).

17 3. Pursuant to Title 21, United States Code, Section 853(p),
18 as incorporated by Title 28, United States Code, Section 2461(c), the
19 convicted defendant shall forfeit substitute property, up to the
20 value of the property described in the preceding paragraph if, as the
21 result of any act or omission of said defendant, the property
22 described in the preceding paragraph or any portion thereof (a)
23 cannot be located upon the exercise of due diligence; (b) has been
24 transferred, sold to, or deposited with a third party; (c) has been
25 placed beyond the jurisdiction of the court; (d) has been

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1 substantially diminished in value; or (e) has been commingled with
2 other property that cannot be divided without difficulty.

3 A TRUE BILL
4

5 /S/
6 Foreperson

7 E. MARTIN ESTRADA
United States Attorney

8 MACK E. JENKINS
9 Assistant United States Attorney
Chief, Criminal Division

10 

11 SCOTT M. GARRINGER
12 Assistant United States Attorney
13 Deputy Chief, Criminal Division

14 IAN YANNIELLO
15 Assistant United States Attorney
Deputy Chief, General Crimes
Section

16 VARUN BEHL
17 Assistant United States Attorney
International Narcotics, Money
18 Laundering & Racketeering Section